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Douglas M. Whatley, Chapter 7 Trustee
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:

DONNA QUILLETES,

Debtor.

Case No. 13-31638

DCN: DMW - 1
Date: APRIL 2, 2014
Time: 10:00 AM
Courtroom: 34
Dept: D

TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY OF THE ESTATE
(11 U.S.C. §363)

The undersigned, Douglas M. Whatley, the court-appointed Trustee in the above-referenced case, hereby requests that this Court approve the sale of the Bankruptcy Estate's interest in the personal property of the Debtor to David Finkelstein:

PROPERTY. The Trustee respectfully represents the following:

1. The Debtor filed for relief under Chapter 7 of Title 11, United States Bankruptcy Code, on September 5, 2013, and an order for relief was entered thereon.
2. The Debtor's Schedule "B" filed on September 5, 2013, disclosed non-exempt personal property described as follows:
 - 2005 GMC ENVOY, with approx. 90,000 miles. Debtor reports that there are significant mechanical problems with this vehicle.
3. Douglas M. Whatley, Trustee, wishes to sell the estates interest in the vehicle "as-is" and 'where-is" to Mr. David Finkelstein for a single payment of \$4,100.00 payable within 24 hours of the Court's approval of the sale. Trustee believes it is in the best interest of the estate to sell the estates interest in the vehicle to Mr. Finkelstein in its current condition.
4. The undersigned Trustee believes that the immediate liquidation of this vehicle as described above is in the best interest of the Bankruptcy Estate. This proposed cash offer and the

1 “as-is” and “where-is” nature of the sale would alleviate the typical auctioneer’s sales commissions,
2 costs and expenses for repair, storage and transportation. Therefore, the Trustee requests the
3 approval from this Court to sell the aforementioned personal property to Mr. Finkelstein for
\$4,100.00.

4 10. At the Court hearing, the Trustee will request that the Court solicit overbids. The Trustee
5 further requests that overbids, if any, be submitted in minimum increments of \$200.00 from
6 qualified bidders who must contact the Trustee at least twenty-four hours prior to this hearing. Any
7 successful over bidder must remit the full amount of the cash selling price to the Trustee within 24
hours after the Court hearing is concluded.

8 WHEREFORE, the undersigned Trustee respectfully requests that this Court approve the sale
9 of the aforementioned personal property to the Debtor(s) in the manner stated herein; for authority to
10 execute all documents necessary to complete the contemplated sale; and, for such other relief as the
11 Court deems appropriate.

12 Dated: February 25, 2014

Respectfully submitted,

13 /s/ Douglas M. Whatley
Douglas M. Whatley, Chapter 7 Trustee